



ORIGINAL

No. VLC-S-H-121044  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**  
**Re: 26123 – 126<sup>th</sup> Avenue, Maple Ridge, British Columbia V2W 1C4**

BETWEEN:

HOME TRUST COMPANY

PETITIONER

AND:

STEWART EDWARD IRVINE  
CARMEL YOKO RICHTER  
SHERWIN JACK-YEN HO  
OLYMPIA TRUST COMPANY, IN TRUST  
JOHN DOE (TENANT) and JANE DOE (TENANT)

RESPONDENTS

**AFFIDAVIT OF ORDINARY SERVICE**

I, Noemi Sedlmeier, Legal Secretary, of #206 – 1110 Hamilton Street, in the City of Vancouver, in the Province of British Columbia, MAKE OATH AND SAY AS FOLLOWS:

1. On May 8, 2013, I served the Petition Respondent, STEWART EDWARD IRVINE, with the Notice of Application with attached draft Order for Conduct of Sale and Affidavit #1 of Monique Cheng, sworn May 2, 2013 and both filed May 6, 2013, copies of the filed first pages of each document are collectively attached to this Affidavit and marked as Exhibit "A", by:

- ☐ leaving the document at
- ☒ mailing the documents by ordinary mail to 26123 – 126<sup>th</sup> Avenue, Maple Ridge, BC V2W 1C4; and by
- ☐ faxing the document to \_\_\_\_\_ together with a fax cover sheet
- ☒ e-mailing the document to [sirvineyvr@gmail.com](mailto:sirvineyvr@gmail.com)

2. On May 8, 2013, I served the Petition Respondent, CARMEL YOKO RICHTER, with the Notice of Application with attached draft Order for Conduct of Sale and Affidavit #1 of Monique Cheng, sworn May 2, 2013 and both filed May 6, 2013, copies of the filed first pages of each document are collectively attached to this Affidavit and marked as Exhibit "A", by:

- ☐ leaving the document at
- ☒ mailing the documents by ordinary mail to c/o Spry Hawkins Micner, Attention: Jack Micner, Suite 440, 5900 No. 3 Road, Richmond, BC V6X 3P7
- ☐ faxing the document to \_\_\_\_\_ together with a fax cover sheet
- ☐ e-mailing the document to \_\_\_\_\_

30km

☐ leaving the document at


☒ mailing the documents by ordinary mail to c/o Spry Hawkins Micner,  
Attention: Jack Micner, Suite 440, 5900 No. 3 Road, Richmond, BC V6X  
3P7

☐ faxing the document to \_\_\_\_\_ together with a fax cover sheet

☐ e-mailing the document to \_\_\_\_\_

☐ leaving the document at  
☒ mailing the documents by ordinary mail to #1003 – 750 West Pender  
 Street, Vancouver, BC V6C 2T8  
☐ faxing the document to \_\_\_\_\_ together with a fax cover sheet  
☐ e-mailing the document to \_\_\_\_\_

6. Collectively attached hereto marked Exhibit "C" are copies of our letters dated May 8, 2013 enclosing the foregoing documentation along with the stamped envelopes served by ordinary mail.

  
A Commissioner for taking oaths in and  
for the Province of British Columbia.

  
NOEMI SEDLMEIER

**RON BAKONYI**  
BARRISTER & SOLICITOR  
#206-1110 HAMILTON ST.  
VANCOUVER, B.C. V6B 2S2  
TEL: 604-688-7700





This is Exhibit " A " referred to in the  
affidavit of Noemi Sedlmeier  
sworn before me at Vancouver  
this 16 day of May 2013  
[Signature]  
A Commissioner for taking Affidavits  
for British Columbia

No. VLC-S-H-121044  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**  
**Re: 26123 – 126<sup>th</sup> Avenue, Maple Ridge, British Columbia V2W 1C4**

BETWEEN:

HOME TRUST COMPANY

PETITIONER

AND:

STEWART EDWARD IRVINE  
CARMEL YOKO RICHTER  
SHERWIN JACK-YEN HO  
OLYMPIA TRUST COMPANY, IN TRUST  
JOHN DOE (TENANT) and JANE DOE (TENANT)

RESPONDENTS

**NOTICE OF APPLICATION**

**Name of applicant:** Petitioner, Home Trust Company

To: The Petition Respondents  
And To: Their Solicitors

TAKE NOTICE that an application will be made by the applicant to the presiding Master at the Courthouse at 800 Smithe Street, in the City of Vancouver, in the Province of British Columbia, on Thursday, May 30, 2013 at 9:45 a.m. for the Order set out in Part 1 below.

**Part 1: ORDER SOUGHT**

1. see attached draft Order for Conduct of Sale.

**Part 2: FACTUAL BASIS**

1. Pursuant to the Order Nisi pronounced November 29, 2012 by Master Muir, the last date for redemption, which is May 29, 2013, will be expired and the Respondent has not redeemed the subject property.



*(Affidavit #1 of Monique Cheng)  
(Sworn May 2nd, 2013)*

No. VLC-S-H-121044  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**  
**Re: 26123 – 126<sup>th</sup> Avenue, Maple Ridge, British Columbia V2W 1C4**

**BETWEEN:**

**HOME TRUST COMPANY**

**PETITIONER**

**AND:**

**STEWART EDWARD IRVINE  
CARMEL YOKO RICHTER  
SHERWIN JACK-YEN HO  
OLYMPIA TRUST COMPANY, IN TRUST  
JOHN DOE (TENANT) and JANE DOE (TENANT)**

**RESPONDENTS**

**A F F I D A V I T**

I, Monique Cheng, Default Recovery Officer, of Suite 2300 – 145 King Street West, Toronto, Ontario, MAKE OATH AND SAY AS FOLLOWS:

1. I am employed by the Petitioner as a Default Recovery Officer – Legal Services, in its Default Recovery Department, and I am authorized by the Petitioner to make this Affidavit on its behalf. I have been involved with the attempted collection of the subject loan herein and have reviewed all pertinent information. As such, I have personal knowledge of the matters and facts hereinafter deposed to, save and except where the same are stated to be based upon information and belief, and where so stated, I verily believe the same to be true.

2. As at May 30, 2013, the amount due and owing to the Petitioner under its subject Mortgage herein will be \$467,770.91, plus costs. Interest runs at the daily rate of \$64.87. The foregoing amount is calculated as follows:

- |  |                     |
|--|---------------------|
| • Amount claimed as at November 29, 2012 pursuant to Order Nisi:                   | \$455,964.57        |
| • Accrued interest from November 29, 2012 to May 30, 2013<br>(182 days x \$64.87): | <u>\$ 11,806.34</u> |

**TOTAL AMOUNT OWING AS OF COURT DATE (May 30, 2013):** **\$467,770.91**

**Mimi**

---


**From:** Mimi [mimi@rblaw.ca]  
**Sent:** Wednesday, May 08, 2013 11:02 AM  
**To:** 'sirvineyvr@gmail.com'  
**Subject:** Home Trust Company v. Irvine - Foreclosure of 26123 - 126th Avenue, Maple Ridge, BC

To: Stewart Edward Irvine

Please see attached filed Notice of Application with attached draft Order for Conduct of Sale and filed Affidavit #1 of Monique Cheng, sworn May 2, 2013 in support of our application for Order for Conduct of Sale set for Thursday, May 30, 2013 in Vancouver Supreme Court of British Columbia. The original will follow by mail.

Thank you.

Noemi (Mimi) Sedlmeier  
Legal Secretary for:  
Ronald A. Bakonyi  
BAKONYI & COMPANY  
#206-1110 Hamilton Street  
Vancouver, BC V6B 2S2  
Phone: 604-688-7700  
Facsimile: 604-688-7799  
Email: [mimi@rblaw.ca](mailto:mimi@rblaw.ca)

This is Exhibit " B " referred to in the  
affidavit of Noemi Sedlmeier  
sworn before me at Vancouver  
this 16 day of May 20 13  
  
A Commissioner for taking Affidavits  
for British Columbia

5/8/2013

Page 3 of 11  
of Exhibits

**BAKONYI & COMPANY**  
BARRISTERS & SOLICITORS  
NOTARIES PUBLIC

Suite #206 – 1110 Hamilton Street  
Vancouver, British Columbia  
V6B 2S2

Phone: (604) 688-7700  
Facsimile: (604) 688-7799  
E-Mail: ron@rblaw.ca


*File No. 23387*

COPY

May 8, 2013

**PERSONAL & CONFIDENTIAL**

STEWART EDWARD IRVINE  
26123 – 126<sup>th</sup> Avenue  
Maple Ridge, BC V2W 1C4

This is Exhibit "C" referred to in the  
affidavit of Neemi Sedlmeier  
sworn before me at Vancouver  
this 16 day of May 20 13  
  
A Commissioner for taking Affidavits  
for British Columbia

**Re: Home Trust Company v. Irvine**  
**Vancouver Supreme Court of British Columbia – Action No. VLC-S-H-121044**  
**Order for Conduct of Sale Application set for Thursday, May 30, 2013**

---

Please find enclosed for service upon you, copies of the following documentation:

1. filed Notice of Application with attached draft Order for Conduct of Sale; and
2. filed Affidavit # 1 of Monique Cheng, sworn May 2, 2013

with respect to the above-noted matter. Kindly acknowledge service of same by signing and returning the copy of this letter to our office at your earliest convenience.

Yours very truly,

**BAKONYI & COMPANY**

Per:  
**RONALD A. BAKONYI**  
RB/ns

Encl. - As listed above.



**BAKONYI & COMPANY**  
**BARRISTERS & SOLICITORS**  
**NOTARIES PUBLIC**

Suite #206 – 1110 Hamilton Street  
Vancouver, British Columbia  
V6B 2S2

Phone: (604) 688-7700  
Facsimile: (604) 688-7799  
E-Mail: ron@rblaw.ca

*File No. 23387*

May 8, 2013

COPY

CARMEL YOKO RICHTER  
c/o Spry Hawkins Micner  
Barristers and Solicitors  
Suite 440 – 5900 No. 3 Road  
Richmond, BC V6X 3P7

ATTENTION: Jack Micner

**Re: Home Trust Company v. Irvine**  
**Vancouver Supreme Court of British Columbia – Action No. VLC-S-H-121044**  
**Order for Conduct of Sale Application set for Thursday, May 30, 2013**

---

Please find enclosed for service upon you, copies of the following documentation:

1. filed Notice of Application with attached draft Order for Conduct of Sale; and
2. filed Affidavit # 1 of Monique Cheng, sworn May 2, 2013

with respect to the above-noted matter. Kindly acknowledge service of same by signing and returning the copy of this letter to our office at your earliest convenience.

Yours very truly,

**BAKONYI & COMPANY**

Per:  
**RONALD A. BAKONYI**  
RB/ns

Encl. - As listed above.

**BAKONYI & COMPANY**  
**BARRISTERS & SOLICITORS**  
**NOTARIES PUBLIC**

Suite #206 – 1110 Hamilton Street  
Vancouver, British Columbia  
V6B 2S2

Phone: (604) 688-7700  
Facsimile: (604) 688-7799  
E-Mail: ron@rblaw.ca

*File No. 23387*

May 8, 2013

COPY

SHERWIN JACK-YEN HO  
c/o Spry Hawkins Micner  
Barristers and Solicitors  
Suite 440 – 5900 No. 3 Road  
Richmond, BC V6X 3P7

ATTENTION: Jack Micner

**Re: Home Trust Company v. Irvine**  
**Vancouver Supreme Court of British Columbia – Action No. VLC-S-H-121044**  
**Order for Conduct of Sale Application set for Thursday, May 30, 2013**

---

Please find enclosed for service upon you, copies of the following documentation:

1. filed Notice of Application with attached draft Order for Conduct of Sale; and
2. filed Affidavit # 1 of Monique Cheng, sworn May 2, 2013

with respect to the above-noted matter. Kindly acknowledge service of same by signing and returning the copy of this letter to our office at your earliest convenience.

Yours very truly,

**BAKONYI & COMPANY**

Per:  
**RONALD A. BAKONYI**  
RB/ns

Encl. - As listed above.



**BAKONYI & COMPANY**  
BARRISTERS & SOLICITORS  
NOTARIES PUBLIC

Suite #206 – 1110 Hamilton Street  
Vancouver, British Columbia  
V6B 2S2

Phone: (604) 688-7700  
Facsimile: (604) 688-7799  
E-Mail: ron@rblaw.ca

*File No. 23387*

COPY

May 8, 2013

OLYMPIA TRUST COMPANY, IN TRUST  
#1003 – 750 West Pender Street  
Vancouver, BC V6C 2T8

**Re: Home Trust Company v. Irvine**  
**Vancouver Supreme Court of British Columbia – Action No. VLC-S-H-121044**  
**Order for Conduct of Sale Application set for Thursday, May 30, 2013**

---

Please find enclosed for service upon you, copies of the following documentation:

1. filed Notice of Application with attached draft Order for Conduct of Sale; and
2. filed Affidavit # 1 of Monique Cheng, sworn May 2, 2013

with respect to the above-noted matter. Kindly acknowledge service of same by signing and returning the copy of this letter to our office at your earliest convenience.

Yours very truly,

**BAKONYI & COMPANY**

Per:  
**RONALD A. BAKONYI**  
RB/ns

Encl. - As listed above.

**PERSONAL & CONFIDENTIAL**  
**STEWART EDWARD IRVINE**  
26123 - 126<sup>th</sup> Avenue  
Maple Ridge, BC V2W 1C4



CARMEL YOKO RICHTER  
c/o Spry Hawkins Micner  
Barristers and Solicitors  
Suite 440 - 5900 No. 3 Road  
Richmond, BC V6X 3P7  
ATTENTION: Jack Micner





NY  
ST.  
1252

SHERWIN JACK-YEN HO  
c/o Spry Hawkins Micner  
Barristers and Solicitors  
Suite 440 - 5900 No. 3 Road  
Richmond, BC V6X 3P7  
  
ATTENTION: Jack Micner



OLYMPIA TRUST COMPANY, IN TRUST  
#1003 - 750 West Pender Street  
Vancouver, BC V6C 2T8



No. VLC-S-H-121044  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**  
**Re: 26123 – 126<sup>th</sup> Avenue, Maple Ridge, British Columbia V2W 1C4**

BETWEEN:

HOME TRUST COMPANY

PETITIONER

AND:

STEWART EDWARD IRVINE  
CARMEL YOKO RICHTER  
SHERWIN JACK-YEN HO  
OLYMPIA TRUST COMPANY, IN TRUST  
JOHN DOE (TENANT) and JANE DOE (TENANT)

RESPONDENTS

---

**AFFIDAVIT OF ORDINARY SERVICE**

---

File #23387

Ronald A. Bakonyi  
BAKONYI & COMPANY  
Barristers & Solicitors  
#206 – 1110 Hamilton Street  
Vancouver, B.C.  
V6B 2S2

Phone: 604-688-7700  
Fax: 604-688-7799